

(4) Boaters will have complete access to the danger zone whenever there is no weapons firing scheduled, which will be indicated by the absence of any warning flags, pennants, or beacons displayed ashore.

(5) The danger zone is not considered safe for boaters whenever weapons firing is in progress. Boaters shall expeditiously vacate the danger zone at best speed and by the most direct route whenever weapons firing is scheduled. Passage of vessels through the danger zone when weapons firing is in progress will be permitted, but boaters shall proceed directly through the area at best speed. Weapons firing will be suspended as long as there is a vessel in the danger zone. Whenever a boater disregards the publicized warning signals that hazardous weapons firing is scheduled, the boater will be personally requested to expeditiously vacate the danger zone by MCBH Kaneohe Bay military personnel utilizing by hailing the vessel on VHF channel 16 or contacting directly by U.S. Navy surface craft.

(6) Observation posts will be manned whenever any weapons firing is scheduled and in progress. Visibility will be sufficient to maintain visual surveillance of the entire danger zone and for an additional distance of 5 miles in all directions whenever weapons firing is in progress.

(c) *The enforcing agency.* The regulations shall be enforced by the Commanding Officer, MCB Hawaii, Kaneohe Bay and such agencies as he/she may designate.

[74 FR 58848, Nov. 16, 2009]

§ 334.1390 Pacific Ocean at Barking Sands, Island of Kauai, Hawaii; missile range facility.

(a) *The danger zone.* The waters within an area beginning at latitude 22°03'15" N., longitude 159°47'15" W.; thence southerly along the shoreline to latitude 22°02'45" N., longitude 159°47'18" W.; thence westerly to latitude 22°02'30" N., longitude 159°51'30" W.; thence northeasterly to latitude 22°06'30" N., longitude 159°49'30" W.; and thence southeasterly to point of beginning.

(b) *Markers.* (1) Range markers at the control point at latitude 22°03'17.4" N., longitude 159°47'12.2" W., are separated

300 feet (one pole 95.5 feet northwest and the other pole 334.5 feet southeast of this point) along a line bearing 327°10' True.

(2) Range markers at the control point at latitude 22°02'44.5" N., longitude 159°47'16.4" W., are separated 300 feet (one pole 75 feet west and the other pole 225 feet east of this point) along a line bearing 266°20' True.

(3) The range marker poles seaward from each control point are 25 feet in height above ground level. The other two poles are 45 feet above ground level.

(4) Each range marker consists of a 10-foot equilateral triangle with alternate red and white diagonal stripes.

(c) *The regulations.* Entry into the area by any person, boat, vessel or other craft is prohibited at all times. Special permission for transit through the area by the most direct route may be obtainable on an individual basis, by prior arrangement with the Commanding Officer, Pacific Missile Range Facility, Hawaiian Area, Barking Sands, Kauai, Hawaii.

[34 FR 7575, May 10, 1969. Redesignated at 50 FR 42696, Oct. 22, 1985]

§ 334.1400 Pacific Ocean, at Barbers Point, Island of Oahu, Hawaii; restricted area.

(a) *The area.* That portion of the Pacific Ocean lying offshore of Oahu between Ewa Beach and Barbers Point, basically outlined as follows:

Station	Latitude	Longitude
A (shoreline)	21°18'06"	158°04'24"
B	21°17'00"	158°03'30"
C	21°15'00"	158°03'18"
D	21°15'36"	158°01'06"
E (shoreline)	21°18'30"	158°02'00"

(b) *The regulations.* (1) Vessels shall not anchor within the area at any time.

(2) Dredging, dragging, seining, or other fishing operations which might foul underwater installations within the area are prohibited.

(3) Use of the restricted area for boating, fishing (except as prohibited in paragraph (b)(2) of this section) and other surface activities is authorized.

(4) The regulations in this section shall be enforced by the Officer in